

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TERRY D. GROVE, )  
Plaintiff, ) CASE NO. C07-1159-RSL-MJB  
v. )  
JANICE CONROY ALBERT, ) ORDER GRANTING  
Defendant. ) VOLUNTARY DISMISSAL

Plaintiff is proceeding *pro se* and *in forma pauperis* in this action pursuant to 42 U.S.C. § 1983. On August 9, 2007, this Court issued an Order to Show Cause directing Plaintiff to explain why his complaint should not be dismissed for failure to state a claim upon which relief may be granted. (Dkt. #7). Now before the Court is Plaintiff's response to the Order to Show Cause wherein he request that this matter be dismissed without prejudice. (Dkt. #8). The Court construes Plaintiff's response as a motion for voluntary dismissal under Fed. R. Civ. P. 41(a)(2). As such, the motion is GRANTED, and the action is dismissed without prejudice.

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## ORDER OF DISMISSAL

1           The Clerk is directed to send a copy of this Order to Plaintiff and to the Honorable  
2 Monica J. Benton.

3           DATED this 10<sup>th</sup> day of September, 2007.

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6           Robert S. Lasnik  
7           United States District Judge  
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9           Recommended for entry  
10           this 7<sup>th</sup> day of September, 2007.

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13           /s/Monica J. Benton  
14           Monica J. Benton  
15           United States Magistrate Judge  
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ORDER OF DISMISSAL

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